

THE FOLLOWING IS TESTIMONY GIVEN BY KATHY DORNAN, CITY CLERK, City of Farmington Hills, AT THE HOUSE ETHICS AND ELECTIONS COMMITTEE MEETING HELD ON TUESDAY, MAY 15, 2007:

**IN PERSON ABSENTEE VOTING**

Good afternoon Mr. Chairman and Committee Members: Thank you for the opportunity to address you today.

I am Kathy Dornan, the City Clerk for the City of Farmington Hills. I am here today representing the Michigan Association of Municipal Clerks, and the Council of Election Officials, the legislative organization which represents both local and County Clerks, both of whom SUPPORT this project in concept.

Thank you for allowing me to address you on a new concept, which is also very old. I will explain.

**THIS IS NOT EARLY VOTING.** AND WE PREFER NOT TO TITLE IT EARLY VOTING.

When a person speaks of Early Voting, people think of states like Texas and Nevada where they can travel to the local mall, senior center, library or grocery store two weeks prior to Election Day and cast their ballots.

THIS IS NOT WHAT WE ARE PROPOSING.

We respectfully request your support of **IN PERSON ABSENTEE VOTING**. We are not asking for NOR promoting early voting as its known in other states.

Since the Florida issue of 2000, voters have become more ELECTION SAVVY AND skeptical about the voting process in general. This is sad. WE NEED TO REASSURE THE VOTERS OF MICHIGAN THAT EACH AND EVERY BALLOT THEY CAST IS GOOD AND ALL VOTES COUNTED.

Currently, with absentee ballots we cannot give that guarantee. As you all know, absentee ballot voting is becoming more popular all the time. It's the way of the world. People are busy; kids are doing so much all the time; and families can hardly eat dinner together, nether lone VOTE!! ACTUALLY CLERKS HAVE SUPPORTED NO REASON AV FOR MANY, MANY YEARS. LETS MAKE IT EASIER FOR ALL VOTERS TO RECEIVE AN ABSENTEE BALLOT. BUT THAT IS DIFFERENT LEGISLATION ALL TOGETHER; BUT MAY GO HAND IN HAND WITH IN PERSON VOTING ALSO.

Last November we saw record voter turnouts for a Governors Election and a record number of absentee ballots issued. Clerks received NUMEROUS calls and inquiries, not a LOW amount – lots – asking if their ballot was actually counted. I witnessed a newspaper article myself which advised that a different state ONLY counts av ballots if the count is CLOSE! We spent a considerable amount of time reassuring voters that YES, EACH AND EVERY BALLOT IS COUNTED.

Then we have the issue of SO MANY AV BALLOTS being void due to over votes, bad markings, and cross party voting when this is not allowed. ALL WE CAN DO WHEN PROCESSING THESE BALLOTS IS TO ACCEPT THEM AS IS. AT THIS POINT, THERE IS NO WAY TO KNOW WHOSE BALLOT THIS IS. SECOND CHANCE VOTING IS IMPOSSIBLE.

AV VOTERS DO NOT GET THE SAME RIGHTS AS PRECINCT VOTERS. If you overvote or cross party in a precinct, you are told your ballot is voided, and you can get a new one AND YOU ARE PROVIDED A SECOND CHANCE; OR A THIRD CHANCE, ETC. Not true with Absentee ballots.

AND ONE OF THE MOST COMMON complaints we receive – and LOTS of them – is that people know how a voter votes by absentee. Of course we don't.....but voters don't feel sure about that. THEY WANT TO HANDLE THEIR OWN BALLOT AND FEEL NO ONE ELSE SHOULD.....AND CLERKS AGREE!!

OUR PROPOSAL is for a person to receive an absentee ballot, and then THEY HAVE TO CHOICE OF EITHER HANDING THAT BALLOT IN TO BE COUNTED ON ELECTION DAY.....OR FEEDING THAT BALLOT INTO A TABULATOR – SET UP IN THE CITY OR TOWNSHIP HALL – ONE PRECINCT, ONE LOCATION SET BY THE CLERK – THEMSELVES.

No one handles the ballot but the voter.

If the ballot is void in any way, NOW the voter can have a second chance, or third chance and we can make sure that EVERY VOTE counts.

NOW the voters themselves SEE the ballot actually be tabulated and dropped into a ballot box. There is no middle man; no one touching their ballot; and they are ASSURED that ballot has been counted.

THIS IS NOT 'EARLY VOTING'; THIS IS IN PERSON AV VOTING.

THIS IS A CONVENIENCE TO VOTERS  
THIS IS ASSURANCE FOR THE VOTERS  
THIS IS ADDITIONAL PRIVACY FOR THE VOTERS  
THIS IS A HUGE PLUS FOR THE VOTERS.

And this costs less for your communities. Each of the ballots being requested in person and put through the tabulator takes LESS staff time; would not require TWO envelopes required now at a huge cost; AND

Since the ballot is already counted and tabulated, it would take less staff on Election Day for processing absentee ballots – THESE HAVE ALREADY BEEN COUNTED!

We feel this is a win/win for voters and clerks.

We know that you are concerned with voter fraud – AS YOU should be!

So you know, there are currently more checks and balances with absentee ballots than with persons voting in the precincts.

For absentees, we must have a SIGNED APPLICATION prior to sending ANY ballot. That signature is matched with your master signature WHICH IS NOW ON THE QUALIFIED VOTER SYSTEM.

Currently when the ballot is returned, the signature on the ballot envelope is AGAIN checked with your master signature on file. TWO CHECKS!

In the precincts, there is currently no ID check OR signature check.

We are proposing that clerks be able to accept in person absentee ballots through a tabulator up to 14 days prior to the election.

WE feel we can implement procedures and rules to deal with the ballots that are tabulated on a daily basis. The program cards are SEALED into the tabulators and a law would be written that this card cannot be removed from the tabulator until Election Day for totaling. Checks and balances can be implemented.

THIS IDEA IS ONLY A MECHANISM FOR PROCESSING THE BALLOTS. We are proposing no change to issuing rules and regulations, storage, access, etc. THIS IS ONLY A WAY FOR THE VOTERS TO HANDLE THEIR OWN BALLOTS AND TO BE ASSURED IT HAS BEEN COUNTED. THIS IS WHAT THE VOTERS WANT!

FOR YOUR INFORMATION, there is a law on the books now that allow voters to go to their city/twp halls and request an absentee ballot and ACTUALLY VOTE ON THE OLD LEVER MACHINES. This same concept was initiated years ago. This was not mandatory, but voluntary, AND many clerks took advantage of this feature and many of their absentee voters came in; were qualified; and stepped into the voting booth, closed the curtain, and voted!

THIS IS THE SAME CONCEPT AS THIS LAW CURRENTLY ON THE BOOKS, HOWEVER, we are trying to update it for optical scan technology which we all have today.

I WOULD NOT BE BEFORE YOU if we did not feel this

**IS GOOD FOR VOTERS. IT**

- 1) ADDRESS ISSUES OF DOUBT THAT VOTERS HAVE
- 2) HELPS TO MAKE EVERY BALLOT AND EVERY VOTE COUNT
- 3) HELPS THE CLERK TO MANAGE ELECTION DAY EASIER

Clerks know the equipment and procedures. This can be done safely, with integrity, with convenience and assurance for the voters, with a cost savings, and clerks feel it's the RIGHT THING TO DO!

THANK YOU FOR YOUR TIME AND CONSIDERATION OF THIS PROJECT.

QUESTIONS?

## VOLUNTARY VS. MANDATORY

Whichever you, the legislature, prefers:

Not all communities are the same. Size and volume is a huge part of this. Bigger communities have more absentee ballots to deal with; more to count on election day; and have a very hard time processing thousands of absentee ballots in the time frame currently allotted by law. Its almost impossible for large, high volume elections, unless we purchase MORE equipment and HIRE MORE WORKERS, which is very costly to local communities. With Budgets being cut and less revenue sharing received, this is a serious issue.

## OUR PROPSAL:

If VOLUNTARY – those clerks who want to provide this, can and may. Just like the law currently on the books for old lever machines.

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If MANDATORY – we proposed that a clerk could provide this up to 14 days in advance if they wanted or had the need, but that small town/UP clerks would ONLY be mandatory for the hours that Clerks are already mandated to work and be open by law (the Saturday prior to the election until 2 pm and Monday prior until 4 pm)

One tabulator takes all the ballot styles. FYI: A clerk would NOT need an extra tabulator to do this. It can be done on the same tabulator they use in the precinct on election day – so equipment is not a cost issue.

TESTIMONY WAS NOT PERSONALLY GIVEN ON THIS ISSUE AT THE HEARING HELD ON MAY 15, 2007; HOWEVER, THESE ARE THE THOUGHTS OF THE MICHIGAN CLERKS ON THE NO REASON AV BILLS:

**NO REASON AV**

Local Clerks have always supported this; still do.

Lets help people vote!! "Potential" Fraud should not be a reason or deterrent to allowing anyone to receive an absentee ballot.

There are more checks and balances with absentee voting than with precinct voting!!

Michigan needs to become more progressive; more helpful; more accommodating to our voters. We complain about voter turn out, and do very little to help increase it.

Voter registration is NOT the issue in Michigan; that has been addressed.

Its actually getting people to vote. Who wouldn't want to receive a ballot, study it over coffee at their kitchen table, and either mail it back; return it and hand in; or RETURN it and VOTE IT TOO!!!

What a great concept!

Thank you.

TESTIMONY WAS NOT PROVIDED ON THE FOLLOWING SUBJECT AT THE MEETING OF TUESDAY, MAY 15, 2007, FOR THE REASON THAT TERRI KOWAL, CLERK OF SHELBY TWP, HAD TESTIFIED THE WEEK PREVIOUSLY ON BEHALF OF THE MICHIGAN ASSOCIATION OF CLERKS AND THE CEO. BELOW ARE FURTHER THOUGHTS ON THIS LEGISLATION:

**DRIVERS LICENSE/PERSONAL ID DIFFERENT FROM VOTER REG:**

I am Kathy Dorman, the City Clerk for the City of Farmington Hills.

I am here today representing the Michigan Association of Municipal Clerks, and the Council of Election Officials, the legislative organization which represents both local and County Clerks. Both these organizations are on record as being **OPPOSED** to legislation which allows a different DL or ID address from a persons voter registration address.

Thank you for scheduling additional testimony on this issue today since most clerks were conducting an election last Tuesday. I know that Terri Kowal, the Shelby Twp. Clerk, addressed you with the concerns of local clerks and eloquently expressed our concerns and issues with this proposal.

Clerks agree with the Secretary of State on this issue; we are opposed very much. The implementation of the Qualified Voter File legislation requiring the matching of these addresses resulted in clerks feeling confident FOR THE VERY FIRST TIME that voters could not be registered in two different places at one time. Clerks spent hours cleaning up voter registration files and sharing information that could never be fully shared prior to the QVF; files are clean; and we feel THERE HAS TO BE A RULE ON THIS IN ORDER TO KEEP ORDER AND TO PREVENT FRAUD.

Years back, before QVF and the address match law, EVERY clerk had experience with people being registered in two AND SOMETIMES MORE places. This system is our "check and balance" piece and must be maintained.

We feel this would be taking a HUGE step backwards and would contribute once again to duplicate files and potential voter fraud. Matching addresses now is the law. Clerks receive VERY FEW complaints on this; and it seems to be politicians who don't like this rule, not the voters.

With the absentee ballot process being easier all the time such as FAXED requests allowed

Email requests as long as the voters signature is supplied allowed;

Our ability now to email or fax the actual applications;

The use of our websites for information and downloading applications, etc.

There is no excuse for anyone away from their voter registration address NOT TO VOTE!

Clerks support the Sec. of State and very much OPPOSE any legislation to allow for different addresses. Thank you.